GOVRNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - LFB & IMS DEPT-Allegation of Corruption against Sri.M.Seshasayana Rao, Asst. Labour Officer (Retd) - Trapped by Anti Corruption Bureau on 19.06.2001-Departmental proceedings initiated - Article of Charges framed -Charges held not proved-Further action dropped-Regularization of suspension period as on duty - Orders- Issued.

LABOUR, FACTORIES, BOILERS & INSURANCE MEDICAL SERVICES (IMS& VIG)DEPARTMENT

G.O.Rt.No.263,

Dated:18.11.2021

Read the following:-

1.G.O.Ms.No.29,L.E.T. & F(Emp) Dept, dated 06.07.2002
2.G.O.Rt.No.483,L.E.T & F (Vig) Dept, dated 20.3.2004
3.Order in Crl.Appeal No.912 of 2006, dt.13.01.2018 of the Hon'ble High Court of Judicature at Hyderabad for the state of Telangana and the State of Andhra Pradesh.
4. The Director General,Anti Corruption Bureau,Lr.No.100/RCT-NPK/ 2001,dt10.06.2019.
5.G.O.Rt. No.141, LFB & IMS(IMS & VIG) Dept., Dt.17.07.2021.
6.From the Special Commissioner of Labour, A.P.,Vijayawada, Lr. No.A/ 14791/ 2001, Dated:17.02.2021.
7.Application of Sri.M.Seshasayana Rao, Ongole, Prakasam District, Dated:19.7.2021.

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ORDER:

Whereas Sri M.Seshasayana Rao, the then Senior Assistant, Office of the Asst. Commissioner of Labour, Ongole was trapped on 19.06.2001 by the Anti Corruption Bureau officials, when he demanded and accepted the bribe, for doing official favour. A case in Crime No.15/ACB/NP/2001 was registered against him. He was placed under suspension w.e.f.03.07.2001 by the Commissioner of Labour. Based on the final report of the Director General, Anti Corruption Bureau, Government have sanctioned prosecution orders vide reference 1st read above in a court of law. The A.O. was reinstated into service vide reference 2nd read above.

2. Whereas in the reference 3rd read above, the Special Judge for ACB Cases, Nellore in its orders dt.20.09.2005 ordered that the Accused was not found guilty under section 248 (1) Cr.P.C. for the charge under sections 7,13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988. Whereas, the Director General, Anti Corruption Bureau, in his letter Dt.18.11.2005 while furnishing a copy of Judgment dated 20.9.2005 in CC No.27/2002 of the Special Judge for ACB Cases, Nellore, has informed that the Legal Advisor cum Special Public Prosecutor, Anti Corruption Bureau, Nellore has opined that there are grounds to prefer an appeal to the High Court of A.P. against the Judgment of the Special Judge for SPE & ACB Cases, Nellore in the said case. He has requested the Government to permit him to prefer an appeal before the Hon'ble High Court of A.P. against the acquittal Judgment.

3. Whereas, the Director General, Anti Corruption Bureau, in his letter 4th read above has informed that the appeal filed against the Judgment dated 20.09.2005 in CC No.27/2002 of the Special Judge for ACB Cases, Nellore, on acquittal order of Sri M.Seshasayana Rao, Senior Assistant, was dismissed by the Hon'ble High Court in its order dt.13.01.2018 in Crl.A.No.912/ 2006. Further informed that there are no grounds to file S.L.P. before the Hon'ble Supreme Court of India and requested to communicate a copy of Government orders in the matter.

(P.T.O)

4. Accordingly, Government in pursuant to the orders of Hon'ble Andhra Pradesh High Court Order in Crl.Appeal No.912 of 2006, dt.13.01.2018, and on the suggestion of the Director General, Anti Corruption Bureau, Vijayawada, in the reference 4th read above, decided to drop further action against Sri M.Seshasayana Rao, Sr.Assistant, Office of the Assistant Commissioner of Labour, Ongole, Prakasam District and accordingly, Government dropped further action against the individual vide reference 5th read above.

5. Whereas Sri. M.Seshasayana Rao, Ongole, Prakasam District in the reference 7th read above has requested the Govt., to issue necessary orders for regularization of his suspension period from 31.07.2001 A.N. to 23.04.2004 A.N. and also to pay the arrears for the above said period and also requested to fix his pay in the cadre of Asst. Labour Officer from the date on which his Junior promoted as Asst. Labour Officer and pay the arrears amount.

6. Government after examining the matter have decided to regularize the suspension period w.e.f 31.07.2001 A.N. to 23.04.2004. Accordingly hereby order to regularize the suspension period from 31.07.2001 A.N. to 23.04.2004 A.N. "On Duty" under FR 54-B (5) read with (7) in respect of Sri.M.Seshasayana Rao, Asst. Labour Officer (Retd), as he was acquitted from the Criminal Case No.01/2015 U/s 248(1) Cr.P.C by the Hon'ble Court of the Special Judge for Trail of SPE & ACB Cases, Nellore as dropped further action..

7. The Special Commissioner of Labour, A.P., Vijayawada, shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNER OF ANDHRA PREDESH)

G.ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

To
The Special Commissioner of Labour, Andhra Pradesh, Vijayawada,
The individual through the Spl.Commissioner of Labour, Andhra Pradesh, Vijayawada.

Copy to:

The Director General, Anti Corruption Bureau, Vijayawada.
The Accountant General, A.P., Vijayawada.
The Director of Treasuries & Accounts, A.P.,Vijayawada.
The Joint Commissioner of Labour, Guntur.
The LFB & IMS(LAB.1) Dept for necessary action.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER